

**IN THE COURT OF THE PRINCIPAL DISTRICT JUDGE,
KOTTAYAM**

Present: Sri. Manoj M., Principal District Judge

Monday, 9th day of March , 2026
18th day of Phalguna, 1947

I.A. No.1/2025 in Appeal Suit No.63/2025
(O.S No.472/2019 of Munsiff's Court, Kottayam)

Petitioner/Appellant/Defendant No.1:-

Kottayam Municipality, represented by its Secretary,
Municipal Office, Kottayam- 686001.

By Adv. Dominic Sebastian

Respondents/Respondents:-

- 1 Raju George, aged 67 years, S/o. P.J. George,
residing at Panampunna Thoppil House,
Nattakom P.O. Pin 686013, Nattakom Village,
Kottayam Taluk. Now residing at 73/48,
150 Street, Flushing, N.Y 11366, USA,
represented by Philipose V. Mathew, aged 67 years,
S/o. Philipose, Arukannil House, K.K. Road,
Velloor P.O., Pampady Village, Kottayam Taluk.
(Power of Attorney Holder)(Plaintiff in Original Suit)
- 2 P.R. Suresh Babu (No More), aged about 59 years,
S/o. Raghavan, residing at Perumthuruthil House,
Nattakom P.O., Pin - 686 013, Nattakom Village,
Kottayam Taluk (Defendant 2 in Original Suit)

Additional Respondents:-

- 3 Senamma, W/o. P.R. Suresh Babu, aged 64 years,
residing at Perumthuruthil House,
Near Mulamkuzha Junction, Nattakom P.O.,
Kottayam, Pin - 686 013.
- 4 Lakshmipriya, aged 38 years, D/o. P.R. Suresh Babu,
residing at Perumthuruthil House,
Near Mulamkuzha Junction, Nattakom P.O.,
Kottayam, Pin - 686 013.

- 4 Preethi Mol, aged 32 years, D/o. P.R. Suresh Babu,
residing at Perumthuruthil House,
Near Mulamkuzha Junction, Nattakom P.O.,
Kottayam, Pin - 686 013.

Additional Respondents 3 to 5 are impleaded as per Order
in I.A. No. 1/2026 dated 26.02.2026.

R1 by Adv. Justin Jose

R2 No more

Additional R3 to R6 No Vakalath seen filed.

Petition filed under Section V of the Limitation Act.

This petition is filed to condone the delay of 65 days in filing
this appeal.

This Petition coming up on for hearing on 07.03.2026 and
the Court on 09.03.2026 passed the following:

ORDER

This is an application filed to condone the delay of 65 days
in filing the appeal against the Judgment dated 31.01.2025 in
O.S No.472/2019 on the ground that the file was misplaced.

Respondent 1 entered appearance. Respondent 2 reported
to be no more and legal representatives of Respondent 2
impleaded. Heard. I am of the view that the sufficient cause
pleaded appears to be bonafide, since the Kottayam Municipality
is the Appellant. Therefore, for the reasons stated in the
affidavit it is held that the petitioner was prevented due to

sufficient cause from not filing the appeal within time and the delay of 65 days can be condoned.

Since the appellant is the Kottayam Municipality no cost is also ordered. Therefore this petition is allowed and delay of 65 days in filing appeal is condoned.

(Pronounced in open Court, on this the 9th day of March, 2026)

Sd/-
Manoj M.
District Judge

APPENDIX : NIL

Id/-
District Judge.

// True Copy //

Copied by :

Compared by :

Sd/-
Manoj M.
District Judge